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ATTORNEYS FOR THE DEFENDANT

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
BILLINGS DIVISION

DALE MORTENSEN and MELISSA BECKER,)	
individually, and on behalf of themselves and)	
all others similar situated,)	No. CV-10-13-BLG-RFC
)	
Plaintiffs,)	DEFENDANT'S
)	NOTICE REGARDING
)	TRANSCRIPTS ON
v.)	APPEAL
)	
BRESNAN COMMUNICATIONS, LLC,)	
)	
Defendant.)	
_____)	

Pursuant to Ninth Circuit Rule 10-3.1(c), Defendant Bresnan Communications, LLC (“Bresnan”) hereby gives notice that no transcripts will be ordered with respect to Bresnan’s appeal to the United States Court of Appeals for the Ninth Circuit from this Court’s September 16, 2011 Order Denying Bresnan’s Motion for Reconsideration of Order Denying Motion to Compel Arbitration. The undersigned contacted local counsel for the Plaintiffs regarding this notice, but received no response. Nevertheless, this Court held no hearings in this case and there are thus no transcripts that either party could order.

As required by Ninth Circuit Rule 10-3.1(c), Bresnan has provided copies of this notice to the court reporter and the Court of Appeals.

DATED this 14th day of October, 2011.

/s/ W. Scott Mitchell
W. Scott Mitchell

CERTIFICATE OF SERVICE

I certify that on October 14, 2011, a copy of the foregoing document was served on the following persons by the following means:

<u>1, 2, 3</u>	CM/ECF
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<u> </u>	E-mail

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